

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/556229	First Named Inventor: Besidski
371 Filing Date: November 9, 2005	Attorney Docket No.: 101062-1P US
Examiner: Golam M. Shameem	Group Art Unit : 1626
Customer No.: 22466	Confirmation No.: 3667
Title: New Benzimidazole Derivatives	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir,

Applicants submit herewith a list of patents and publications pursuant to the duty to disclose in accordance with 37 C.F.R. § 1.56.

In accordance with 37 C.F.R. § 1.97 (g) and (h), the filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made or that the information cited is material to patentability as defined in 37 C.F.R. § 1.56.

In accordance with the U.S. Patent Office's partial waiver of the requirement under 37 C.F.R. 1.98(a)(2)(i), copies of the foreign patent documents and non-patent publications were previously filed with the August 7, 2008 IDS. Additional copies can be provided upon request.

Because WO2005/095327 is not translated into English, we cited US 2007/0066586, which is the U.S. equivalent.

In addition, Applicant(s) wish to call to the Examiner's attention the following commonly-owned, co-pending patent application(s) and patents, and Office Action(s) issued therein:

1. U.S. Application No. 11/836,221, Attorney Docket No. 102290-2 US/NS, filed on August 9, 2007.
2. U.S. Application No. 11/614346, Attorney Docket No. 102022-2 US, filed on December 21, 2006.
3. U.S. Publication No. 2008-0015222, Attorney Docket No. 101543-1P US, published on January 17, 2008.

4. U.S. Publication No. 2006-0205802, Attorney Docket No. 101101-1P US, published on September 14, 2006.

It is applicants' understanding that although examiners consider ISR(s), co-pending applications, and copies of Office Actions, they are not typically listed on the front of the issued patent, and are therefore normally crossed off the SB08 form. Accordingly, unless indicated in the record otherwise, it will be assumed the examiner has considered the ISR(s), co-pending applications, and copies of Office Actions cited in the accompanying SB08 form(s).

REMARKS

In accordance with the provisions of 37 C.F.R. 1.97, this statement is being filed:

- ☒ (1) within three (3) months of the **filing date** of a national application other than a continued prosecution application under 37 C.F.R. 1.53(d), or within three (3) months of the **date of entry of the national stage** as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing of the **first Office Action** on the merits, or before the mailing of a **first Office Action** after the filing of a request for continued examination under 37 C.F.R. 1.114; or
- ☐ (2) after the period defined in (1) but before the mailing date of a **final Action** or a **Notice of Allowance** under 37 C.F.R. 1.311, and
- ☐ the requisite Statement is below, **OR**
- ☐ the Commissioner is hereby authorized to charge the requisite fee under 37 C.F.R. 1.17(p), namely **\$180.00** to deposit account No., referencing Attorney Docket No., or
- ☐ (3) after the mailing date of a **final Action** or **Notice of Allowance** but before the payment of the **Issue Fee, AND**
- ☐ the requisite Statement is below, **AND**
- ☐ the Commissioner is hereby authorized to charge the requisite fee under 37 C.F.R. 1.17(p), namely **\$180.00** to deposit account No. 260166, referencing Attorney Docket No. 101062-1P US.

It is respectfully requested that each of the patents and publications listed on the attached Form SB08, and other information contained herein, be considered by the Examiner and made of record in this application

STATEMENT

As required under 37 C.F.R. 1.97(e), Applicant(s), through the undersigned, hereby state either that:

- ☐ (1) Each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application **not more than three months** prior to the filing of the Information Disclosure Statement; or
- ☐ (2) No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to **any individual** designated in 37 C.F.R. 1.56(c) **more than three months** prior to the filing of the Information Disclosure Statement.

Respectfully submitted,

/ Karen H. Kondrad /

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Intellectual Property, Patents